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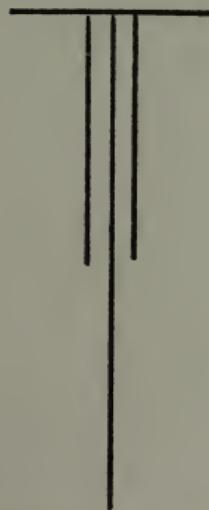
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Revised Regulations Montana Mustard Seed Standards



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**Revised Regulations
Montana Mustard Seed
Standards**





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STATE OF MONTANA

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REVISED REGULATIONS MONTANA MUSTARD SEED STANDARDS

DEFINITIONS OF CLASSES — METHOD DOCKAGE DETERMINATION— GRADING

In the absence of definitions for the several classes of mustard seed under Section One, House Bill 168, "The Montana Standards for Tame Cultivated Mustard Seed," the following definitions are being adopted effective Oct. 15, 1947 by this department.

Cultivated Tame Mustard Seed: Shall be any tame cultivated mustard seed which, before the removal of dockage, consists of 50 per cent or more of tame cultivated mustard seed. The term mustard seed in these standards shall not include wild mustard seed.

CLASSES

Cultivated Tame Yellow Mustard Seed: This class shall include all varieties of tame cultivated "Yellow" mustard seed, except Oriental Mustard Seed, and may include not more than 5 per cent of tame cultivated mustard seed of other classes.

Cultivated Tame Oriental Mustard Seed: This class shall include tame cultivated "Oriental" mustard seed, and may include not more than 5 per cent of tame cultivated mustard seed or of other classes.

"Oriental" mustard seed is of both brown and yellow color but is predominately yellow.

Cultivated Tame Brown Mustard Seed: This class shall include all varieties of tame cultivated "Brown" mustard seed, and may include not more than 5 per cent of tame cultivated mustard seed of other classes.

Cultivated Tame Mixed Mustard Seed: This class shall include any mixture of tame cultivated mustard seed not provided for in the classes Yellow, Oriental, and Brown mustard seed.

Note: Section One of the Act Specifies limits of 0.5% of "other classes" in number one, 2.0% in number two, and 5.0% in number three of each of the classes of Yellow, Oriental, and Brown mustard seed. In applying the above definitions to these limits only such seed as can be positively identified as "other classes" shall be considered as of a class other than the predominating class. This has particular reference to the presence of small yellow seeds in the class "Yellow Mustard Seed," and to the presence of brown colored seeds in the class "Oriental Mustard Seed."

DOCKAGE—FOREIGN MATERIAL OTHER THAN DOCKAGE

Dockage — Foreign Material Other Than Dockage: The standards provide that "Dockage" includes any "Foreign Material" which can be readily removed by the use of appropriate sieves, cleaning devices, or other practical means. The standards provide further that "Foreign Material other than Dockage" includes all matter other than tame cultivated mustard seed, which is not separated in the proper determination of dockage.

It will be seen, therefore, the Standards recognize that "foreign material" consists of two parts: (a) Dockage—which is the foreign material that can be readily separated and (b) "Foreign Material Other Than Dockage"—which is the foreign material that cannot be readily separated or which remains in the mustard seed after the dockage has been removed. "Dockage" is that part of the foreign material, therefore, which can be separated by a cleaning machine and "Foreign Material Other Than Dockage" is that part of the foreign material determined by hand picking. Part of this hand picked foreign material may consist of weed seeds and the balance may consist of other material which is not cultivated mustard seed.

DETERMINATION OF DOCKAGE— EUREKA CLEANER

The percentage of dockage shall be that ascertained by the method provided for the S. Howes Eureka Cleaner or by any method or standard cleaning machine giving equivalent results. Dockage shall be determined by the method indicated under Paragraphs 1, 2, 3, 4, 5 below:

Paragraph I

Yellow Mustard Seed—Dockage—The dockage determination is made on a representative portion of the original sample, (submitted sample 500 grams; entire sample when less than 500 grams; and carloads, 1000 grams).

The air blast shall be adjustment

No. 1 on dial No. 1

No. 2 on dial No. 3

No. 2 on dial No. 2

No. 1 on dial No. 4

unless such air blast tends to remove whole seed, of cultivated mustard, in which case all adjustments shall be on number one. The No. 7 Sieve shall be used as the top sieve and 1/17th as the bottom sieve, but depending upon the size of the seed and kind of fine seed in the sample; the No. 6, 6½ or 7½ can be used as the top sieve and the 1/16 as the bottom sieve providing there is no whole seed of cultivated mustard seed removed thereby.

Paragraph II

Brown Mustard Seed — Montana Oriental Mustard Seed—Dockage—The air blast shall be set on all adjustments at number one. The 1/12th shall be used as the top sieve and 1/22nd as the bottom sieve, but depending upon the size of the seed; the 1/13th may be used as the top sieve providing there is no whole seed removed thereby.

Paragraph III

Wild Oats — Cultivated Yellow, Brown or Montana Oriental containing Wild Oats shall, after cleaning over the Eureka without removing all Wild Oats, be re-cleaned and the Wild Oats removed as far as possible by running over the Federal Dockage Tester using the Flax Riddle and Flax Seed Adjustment and the 2½/64 round hole as the top and use no bottom sieve, making sure that no seed is lost in the operation either by sticking to the sieves or by spilling through the machine.

Paragraph IV

Percentage of Dockage — Shall be calculated from the loss in weight by weighing back the

cleaned seed, and shall be stated in whole and half per cents. The word "Dockage" together with the percentage thereof shall be added to the grade designation.

Paragraph V

Rescreening—Any whole seed removed over the top sieve shall be reclaimed by hand sieving—using any size suitable for the purpose. Brown or Montana Oriental removed from Yellow by the bottom screen shall be reclaimed by hand sieving, using any size sieve suitable for the purpose. After hand sieving, the seed remaining on top of the sieve shall be returned to the sample and the seed passing through shall be added to the dockage. With the air blast at the adjustments specified above, the dockage shall include broken seed.

Paragraph VI

"Numerical Grade"—After Removal Mechanical Dockage—If, after the removal of dockage by cleaning over the S. Howes Eureka Cleaner, the sample shows 0.7% or less of inseparable weed seeds remaining in the cleaned sample, it will be graded No. 1, No. 2 or No. 3 depending upon the amount allowed in each grade under the standards; namely, 0.3% in No. 1, 0.5% in No. 2, 0.7% in No. 3.

Paragraph VII

"Sample Grade"—After Removal of Mechanical Dockage—If, after removal of dockage as provided for in Paragraph VI, sample shows more than 0.7% "Inseparable Weed Seeds" or more than 2.0% total "Foreign Material Other Than Dockage" remaining in the cleaned sample, it shall be graded "Sample Grade" and the

percentage of "Inseparable Weed Seeds" or total "Foreign Material Other Than Dockage" determined by hand picking shall be stated as the factor or reason for degrading the sample. However, to show that "Dockage" does not include "Foreign Material Other Than Dockage" or "Inseparable Weed Seeds" this fact shall be so stated whenever applicable, by a notation to this effect on the certificate of grade.

Paragraph VIII

Grain or Other Cultivated Seed in Dockage—

When dockage contains grain or cultivated seed other than tame mustard seed a statement of the approximate amount in percentage shall be stated in remarks. Example: "Dockage Contains 2.0% Wheat."

Paragraph IX

No Grade Mustard Seed—Samples of cultivated tame mustard seed which are too dirty or too wet shall be designated "No Grade—Cannot Clean" with a statement of the reason for such designation.

Percentage of Moisture — Method — The Brown Duval Method specified in the Standards has been replaced by the Tag Heppenstall Method. The latter is not recommended for testing mustard seed having more than 11.0% moisture because it tends to gum up the rolls. The Brabender or any drying oven method that gives equivalent results is recommended in preference to either the Brown Duval Method or the Tag Heppenstall Method.

CHAPTER 35

1941 SESSION LAWS

Official Montana Mustard Seed Standards

Section 1. Standard Classes and Grades of Mustard Seeds. The standard classes of mustard seed for the State of Montana shall be as follows:

Fancy—Cultivated tame yellow mustard seed.

Class 1—Cultivated tame yellow mustard seed.

Class 2—Cultivated tame brown mustard seed.

Class 3—Cultivated tame Montana Oriental mustard seed.

Class 4—Mixed cultivated tame mustard seed, and

Sample—Hereinafter defined.

Classes 1, 2 and 3 shall contain not more than five per cent (5%) of other classes. Class 4 shall be any mixture of cultivated tame mustard seed having an admixture of other classes in excess of five per cent (5%), and shall be graded according to the predominating class in the mixture. Sample grade shall include mustard seed which does not come within the requirements of any of the following grades, No. 1 to No. 3 inclusive, or which has any objectionable foreign odor or is sour, heating, hot, or is otherwise of distinctly low quality or contains small inseparable stones or cinders.

Grade requirements for cultivated tame mustard seed. Based after the removal of dockage. (See page 10.)

**Revised Regulations
Montana Mustard Seed Standards**

GRADE NUMBER	Sound Cultivated Mustard Not less than	Damaged Kernels			Foreign Material Other Than Dockage			Weed Seed Content		
		TOTAL		Heat Damaged	TOTAL		TOTAL	Wild Mustard	Cockle	
		%	%	%	%	%	%	%	%	
Fancy	99.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1	98.5	1.5	0.1	0.5	1.0	0.3	0.1	0.1	0.1	
2	97.0	3.0	0.2	2.0	1.5	0.5	0.2	0.2	0.2	
3	95.0	5.0	0.5	5.0	2.0	0.7	0.5	0.5	0.3	

SAMPLE—Sample grade shall include mustard seed which does not come within the requirements of any of the grades, No. 1 to No. 3, inclusive, or which has any objectionable foreign odor or is sour, heating, hot, or is otherwise of distinctly low quality or contains small inseparable stones or cinders.

Section 2. The following definitions and specifications are hereby adopted and made legal.

(1) **Damaged Seeds**—Damaged seeds shall be all seeds and pieces of seeds of Mustard seed, which are completely covered with mould, very green, sprouted, frosted, badly ground damaged, badly weather damaged, or otherwise distinctly damaged.

(2) **Heat Damaged Seeds**—Heat damaged seeds shall be seeds and pieces of seeds of Mustard seed which have been distinctly discolored by external heat or as a result of heating caused by fermentation.

(3) **Dockage**—Dockage includes sand, dirt, weed seeds, weed stems, chaff, straw, Mustard seed other than tame mustard and any foreign material which can be removed readily from the mustard by the use of appropriate sieves, cleaning devices or other practical means suited to separate the foreign material present, also undeveloped, shriveled and small pieces of mustard seeds removed in properly separating the foreign material, which cannot be recovered by properly rescreening or recleaning.

The quantity of dockage shall be calculated in terms of percentage. When less than one-half per cent ($\frac{1}{2}\%$) it shall be disregarded. The percentage of dockage so determined and stated, shall be added to the grade designation. Dockage is to be calculated by the one-half per cent ($\frac{1}{2}\%$), that is to say 0% to 0.4% will be designated as no dockage, 0.5% to 0.9% will be designated as $\frac{1}{2}\%$ dockage, 1% to 1.4% will be designated as 1% dockage, 1.5% to 1.9% will be designated as $1\frac{1}{2}\%$ dockage, and so on.

(4) **Foreign Material Other Than Dockage**—Foreign material other than dockage shall include all matter other than tame cultivated mustard seed, which is not separated in the proper determination of dockage; however, rape-seed, common wild mustards, and other seeds that blend with class 2 and class 3 mustard seed, and thus are not readily identified, and the total of which is not in excess of two and one-half percent ($2\frac{1}{2}\%$), shall not be considered foreign material, and shall not be considered in grading said classes of mustard seed.

Basis of Determination: Each determination of dockage, temperature, odor and live weevil or other insects injurious to stored mustard seed, shall be upon the basis of the seed as a whole. All other determinations shall be upon the basis of the seed when free from dockage.

(5) Percentages—Percentages, except in the case of moisture, shall be percentages ascertained by weight.

(6) Percentages of Moisture—Percentage of moisture shall be that ascertained by use of the equipment and procedure prescribed by the Montana department of agriculture.

(7) Percentage of Dockage—Percentage of dockage shall be that ascertained by use of the equipment and procedure prescribed by the Montana department of agriculture.

(8) Test Weight Per Bushel—The test weight per bushel shall be the weight per Winchester bushel as determined by the testing apparatus and the method of use thereof described in Bulletin 1065 U.S.D.A. dated May 18, 1922, or as determined by any device and method which give equivalent results in the determination of test weight per bushel.

(9) All Other Determinations—The percentage of damage, heat damage, sound cultivated mustard seed, foreign material and determinations of all other factors not otherwise provided for shall be on the basis of a portion cut from the original sample and separated by hand picking."

Section 3. The following shall be legal test weights per bushel, namely: The weight per Winchester bushel as determined by the testing apparatus and the methods of use thereof described in Circular No. 921 U.S.D.A. dated June 1953, or as determined by any device and method which give equivalent results in the determination of test weight per bushel:

Weight per bushel for Tame Yellow Mustard Seed shall be:

Fancy—56 lbs.

No. 1—54 lbs.

No. 2—52 lbs.

No. 3—50 lbs.

Weight per bushel for Tame Brown and Tame Montana Oriental Mustard Seed shall be:

No. 1—52 lbs.

No. 2—51 lbs.

No. 3—50 lbs.

All seeds weighing less than the above per bushel shall be graded as sample weight, provided that the percentage of damage, heat damage, sound cultivated mustard seed, foreign material and determinations of all other factors not otherwise provided for shall be on the basis of a portion cut from the original sample and separated by hand picking.

Section 4. The Mustard seed in grades from one to three inclusive shall contain not more than eleven per cent (11%) moisture. "Tough" mustard seed shall be all mustard seed containing more than eleven per cent (11%) moisture and shall be graded and designated according to the grade requirements of the standards applicable to such seed if it were not tough and there shall be added to, and made a part of the grade designation, the word "tough."

Section 5. Weevily mustard seed shall be mustard seed which is infested with live weevil or other insects injurious to stored grain. Weevily mustard seed shall be graded and designated according to the grade requirements of the standards applicable to such mustard seed if it were not weevily, and there shall be added, and made a part of the grade designation, the word "weevily."

Section 6. It is hereby made the duty of the Commissioner of Agriculture of the State of Montana to administer and enforce this Act, and for such purpose he is hereby empowered to make all proper necessary rules and regulations, and he is also empowered to and he shall fix the fees for inspection and weighing of mustard seed and such fees shall be a lien upon such mustard seed until paid and such fees shall be collected by the Commissioner of Agriculture or his duly authorized representatives and the Commissioner of Agriculture shall deposit such fees with the State Treasurer in a fund known as the "Department of Agriculture Revolving Appropriation Fund," for grain grading, out of which all operating expenses of this Act shall be paid.

Section 7. Any one violating any of the terms of this Act shall upon conviction be guilty of a misdemeanor and shall be fined not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

Section 8. This Act shall be in full force and effect from and after its passage and approval.

